

[18th August 1925]

- (b) if so, whether the Government will be pleased to lay it on the Council table ; and  
 (c) what steps have been taken by the Government to remedy the grievances mentioned in the memorial ?

- A.**—(a) & (b) A copy of the memorial has been received by the Government, but they have not received the original of the memorial said to have been sent through the High Court.  
 (c) The High Court which is primarily concerned with the question has not yet moved in the matter. The Government do not propose to take any action at present on the representations made.

*The holding of the Subordinate Judge's Court at Mangalore.*

\* 3 Q.—Rao Sahib U. RAMA RAO : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the Sub-Judge of South Kanara, Mangalore, held court and dismissed suits for default on 20th April 1925, the date of the bye-election to the Madras Legislative Council, and after the court had closed for the summer vacation ;

(b) whether the election day was not also a public holiday throughout the district ; if the answer is in the affirmative whether the Sub-Judge was authorized to hold his court on that day ;

(c) whether the Government generally approve of the holding of courts on the dates of election to the Legislative Councils ;

(d) whether it is a fact that the Sub-Judge held his court in spite of representations made to him by prominent members of the Bar that they and their clients could not attend the court on that day as it was Council election day ;

(e) whether judicial officers are permitted to hold courts after they are closed for summer vacation and even though vakils and parties are unwilling to attend them ; and

(f) what the explanation of the Sub-Judge concerned is in regard to his action ?

**A.**—The Government have no information. The litigants have the remedy of appeal if the Judge acted illegally.

Rao Sahib U. RAMA RAO :—“ With reference to clause (b) of my question, viz., ‘ whether the election day was not also a public holiday throughout the district ; if the answer is in the affirmative whether the Sub-Judge was authorized to hold his court on that day,’ the answer is : ‘ The Government have no information.’ Am I to understand that the Government have no information on that point ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ The Government did not call for answers to these various questions inasmuch as, if the Subordinate Judge acted in the manner suggested, his judgment would be open to correction by an appellate tribunal.”

Rao Sahib U. RAMA RAO :—“ Then again, with reference to clause (c), viz., ‘ whether the Government generally approve of the holding of courts on the dates of election to the Legislative Councils,’ am I to understand that the Government have ruled so ? ”

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The hon. Sir C. P. RAMASWAMI AYYAR :—“From the fact that these days are public holidays arises the inference that the Government is not in favour of courts being held on such days.”

*Disposal of certain cases by the Subordinate Judge of South Kanara.*

\* 4 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Law Member be pleased to state—

(a) whether the Government are aware of the procedure adopted by the Sub-Judge of South Kanara, Mangalore, of disposing of most of the contested petitions and miscellaneous work in his chambers and not in open court;

(b) whether it is a fact that the Sub-Judge gets parties declared *ex parte* not in his presence but by the clerk concerned even before he comes to court;

(c) at what time the said Sub-Judge comes to the Bench daily and at what time he leaves the court; and

(d) whether it is a fact that the Sub-Judge comes to the Bench very irregularly, even as late as 2 or 2-30 p.m.?

A.—The Government have no information but are causing enquiries to be made.

*The creation of a new post of “Master” in the High Court.*

\* 5 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Law Member be pleased to state—

(a) whether it is proposed to create a new post of a ‘Master’ in the High Court at Madras;

(b) if so, what is the need for it and what is the scope of his powers and duties; and

(c) whether the Registrar cannot cope with the duties for which the ‘Master’ is being created?

A.—The matter is under the consideration of Government.

*Period of stay permitted to certain officers in one station.*

\* 6 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) the number of years during which (1) a Deputy Collector, (2) a District Munsif, (3) a Tahsildar, is ordinarily permitted to remain continuously in one station;

(b) whether short absences on leave during that period are held to constitute a break in their stay and whether the period during which such officers may normally stay in a station is counted again from their return to duty after the absence;

(c) whether enquiries are periodically made by district officers or others as to whether after their first appointment to a station they have many relations in their own or allied departments or have contracted debts or acquired landed properties within their jurisdiction; and

(d) whether all these facts are taken into account in posting officers or transferring them from station to station?

A.—(a) There are no hard-and-fast rules on the subject. Ordinarily opportunity is taken, when transfers have to be made, to move officers who have been three years at one station.